

OFFICIAL LOCAL FORM 3

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

PRE-CONFIRMATION CHAPTER 13 PLAN

CHAPTER 13 PLAN - AMENDED

Docket No.: 15-12887

DEBTOR(S): (H) Mark J. Ryan SS# xxx-xx-2226
(W) Krista K. Ryan SS# xxx-xx-2731

I. PLAN PAYMENT AND TERM:

Debtor's shall pay monthly to the Trustee the sum of \$ 275.00 for the term of:

☐ 36 Months. 11 U.S.C. § 1325(b)(4)(A)(i);

☒ 60 Months. 11 U.S.C. § 1325(b)(4)(A)(ii);

☐ 60 Months. 11 U.S.C. § 1322(d)(2). Debtor avers the following cause:

_____, or

☐ ____ Months. The Debtor states as reasons therefore:

II. SECURED CLAIMS

A. Claims to be paid through the plan (including arrears):

Creditor	Description of Claim (pre-petition arrears, purchase money, etc.)	Amount of Claim
<u>Wells Fargo Home Mortgage</u>	<u>Pre-petition arrears</u>	\$ <u>1,664.88</u>

Total of secured claims to be paid through the Plan \$ 1,664.88

B. Claims to be paid directly by debtor to creditors (Not through Plan):

Creditor	Description of Claim
<u>First CitizensFederal Credit Union</u>	<u>auto loan</u>
<u>Wells Fargo Dealer Services</u>	<u>auto loan</u>
<u>Wells Fargo Home Mortgage</u>	<u>1st mortgage loan</u>

C. Modification of Secured Claims:

Creditor	Details of Modification (Additional Details May Be Attached)	Amt. of Claim to Be Paid Through Plan
<u>-NONE-</u>		

D. Leases:

- i. The Debtor(s) intend(s) to reject the residential/personal property lease claims of -NONE-
; or
- ii. The Debtor(s) intend(s) to assume the residential/personal property lease claims of -NONE-
- iii. The arrears under the lease to be paid under the plan are 0.00.

III. PRIORITY CLAIMS

A. Domestic Support Obligations:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

B. Other:

Creditor	Description of Claim	Amount of Claim
<u>Department of the Treasury</u>	<u>income tax due</u>	\$ <u>5,005.84</u>

Total of Priority Claims to Be Paid Through the Plan \$ 5,005.84

IV. ADMINISTRATIVE CLAIMS

A. Attorneys fees (to be paid through the plan): \$ 0.00

B. Miscellaneous fees:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

C. The Chapter 13 Trustee's fee is determined by Order of the United States Attorney General. The calculation of the Plan payment set forth utilizes a 10% Trustee's commission.

V. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 24 % of their claims.

A. General unsecured claims: \$ 34,361.25

B. Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

C. Non-Dischargeable Unsecured Claims:

Creditor	Description of claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

Total of Unsecured Claims (A + B + C): \$ 34,361.25

D. Multiply total by percentage: \$ 8,179.28
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

E. Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of claim	Amount of claim
-NONE-		\$
Total amount of separately classified claims payable at _____ %		\$ 0.00

VI. OTHER PROVISIONS

A. Liquidation of assets to be used to fund plan:

B. Miscellaneous provisions:

VII. CALCULATION OF PLAN PAYMENT

A) Secured claims (Section I-A Total):	\$	1,664.88
B) Priority claims (Section II-A&B Total):	\$	5,005.84
C) Administrative claims (Section III-A&B Total):	\$	0.00
D) Regular unsecured claims (Section IV-D Total):+	\$	8,179.28
E) Separately classified unsecured claims:	\$	0.00
F) Total of a + b + c + d + e above:	= \$	14,850.00
G) Divide (f) by .90 for total including Trustee's fee:		
	Cost of Plan=	\$ 16,500.00
(This represents the total amount to be paid into the Chapter 13 plan)		
H. Divide (G), Cost of Plan, by Term of Plan,	60	months
I. Round up to nearest dollar for Monthly Plan Payment:	\$	275.00

(Enter this amount on page 1)

Pursuant to 11 U.S.C. § 1326(a) (1), unless the Court orders otherwise, a debtor shall commence making the payments proposed by a plan within thirty (30) days after the petition is filed. Pursuant to 11 U.S.C. §1326(a)(1)(C), the debtor shall make preconfirmation adequate protection payments directly to the secured creditor.

VIII. LIQUIDATION ANALYSIS

A. Real Estate:

Address	Fair Market Value	Total Amount of Recorded Liens (Schedule D)
1'240 Glebe Street, Taunton, Ma. 02780	\$ 290,793.00	\$ 260,000.00
Total Net Equity for Real Property:	\$ 30,793.00	
Less Exemptions (Schedule C):	\$ 30,793.00	
Available Chapter 7:	\$ 0.00	

Total Net Equity: \$ 9,522.03
 Less Exemptions (Schedule C): \$ 9,522.03
 Available Chapter 7: \$ 0.00

C. All other Assets (All remaining items on Schedule B): (Itemize as necessary)

Joint Checking Account-Santander Bank

Joint Savings Account-Santander Bank

Capital One -Savings Account

Household furniture, furnishings, cookware, linens, decorative items, appliances etc.

Used clothing

Used clothing

Diamond engagement ring

Diamond earrings

Pearl necklace

Dunkin Brands, Inc - 401(K)

Income Tax refunds for 2014

Timeshare- 30 Pine Valley Drive, Falmouth, Ma

Total Net Value: \$ 18,950.19
 Less Exemptions (Schedule C): \$ 18,950.19
 Available Chapter 7: \$ 0.00

D. Summary of Liquidation Analysis (total amount available under Chapter 7):

Net Equity (A and B) plus Other Assets (C) less all claimed exemptions: \$ 0.00

E. Additional Comments regarding Liquidation Analysis:

IX. SIGNATURES

Pursuant to the Chapter 13 rules, the debtor or his or her attorney is required to serve a copy of the Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a Certificate of Service accordingly.

/s/ Jeanne M. Kirkwood, Esq.

January 25, 2016

Jeanne M. Kirkwood, Esq.

Date

Debtor's Attorney

Attorney's Address: 859 Washington Street
 Taunton, MA 02780

Tel. #: (508) 238-5900 Fax: (508) 238-7111

Email Address: attorneykirkwood@comcast.net

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

Date January 25, 2016

Signature /s/ Mark J. Ryan

Mark J. Ryan

Debtor

Date January 25, 2016

Signature /s/ Krista K. Ryan

Krista K. Ryan

Joint Debtor

CERTIFICATE OF SERVICE

I hereby certify that on , a copy of Debtors' Amended Chapter 13 Plan was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed on the attached sheet.

1/26/2016

/s/ Jeanne M. Kirkwood, Esq.

Jeanne M. Kirkwood, Esq.
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Chase
P.O. Box 15123
Wilmington, DE 19850-5123

Department of the Treasury
Internal Revenue Service
Holtsville, NY 11742-0480

First CitizensFederal Credit Union
200 Mill Road #100
Fairhaven, MA 02719

Lowes/Synchrony Bank
P.O. Box 530914
Atlanta, GA 30353-0914

Wells Fargo Dealer Services
P.O. Box 25341
Santa Ana, CA 92799-5341

Wells Fargo Home Mortgage
P.O. Box 10335
Des Moines, IA 50306